

REMARKS/ARGUMENTS

Claims 1-34 are pending in the present application. Claims 1, 5, and 15 are amended. Claims 21-34 are new. Claims 1, 5, 15, 21, and 25 are independent claims. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and the Remarks as set forth hereinbelow.

Allowable Subject Matter

The Applicants wish to thank the Examiner for the indication that claims 5 and 14 are allowed, and claims 13 and 20 would be allowable if rewritten in independent form to include the features of their respective base claims.

However, Applicants respectfully submit that claim 5 has been amended independent claim 5 to correct a typographical error in line 5 by replacing "displaying means" with "operating means."

Information Disclosure Statement

Applicants appreciatively acknowledge that, in the Advisory Action of August 2, 2004, the Examiner attached an initialed copy of the PTO-1449 filed on December 19, 2001, in which he indicated that the JP 06-087095 and JP 48-41687 documents references were considered.

Rejection Under 35 U.S.C. § 103

Claims 1-3, 7-9, and 15-17

Claims 1-3, 7-9, and 15-17 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 6,008,986 to Mok (hereinafter Mok) in view of U. S. Patent No. 5,534,759 to Evans et al. (hereinafter Evans). This rejection is respectfully traversed.

In the Office Action, the Examiner admits that Mok does not disclose display means being mounted in a fixed position. The Examiner relies upon Evans to remedy this deficiency, asserting that it would have been obvious to one of ordinary skill in the art to modify Mok to mount a display in a fixed position based on Evans' teachings (see page 4, first paragraph).

However, Applicants respectfully submit that the Examiner's proposed modification of Mok is improper under 35 U.S.C. § 103. MPEP § 2143.01 sets forth the following:

If [a] proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Applicant respectfully submits that the Examiner's proposed modification of Mok in view of Evans renders Mok unsatisfactory for its intended purpose and, thus, is not sanctioned by the provisions of 35 U.S.C. § 103.

Specifically, Mok discloses an LCD display 22 and a keyboard 26, which are built into a laptop computer. A distinct advantage of laptop computers is

their portability. Thus, Mok (and any other patent directed to laptop computers) implicitly teaches away from mounting the display in a fixed position. Mok also expressly teaches away from mounting the display in a fixed position, as it describes the purpose of its invention as "increas[ing] the cooling capacity of portable personal computers" (col. 1, lines 55-56, emphasis added).

Evans discloses a system 10 for monitoring operating parameters in a vehicle, and an operator display 100, which is fixed within the vehicle's dashboard, for displaying these parameters. Evans further discloses that, in addition to the fixed operator display, a portable or notebook type computer may be used during a testing phase to adjust various operating parameters and monitor the real time performance of the vehicle. Evans explicitly discloses that the notebook computer (and its display) may be removed once testing is completed. See col. 4, lines 19-24 and 50-58. Thus, Applicants respectfully submit that Evans teaches away from the Examiner's proposed modification of Mok to mount a laptop computer's display in a fixed position.

Since mounting a computer display in a fixed position is antithetical to computer portability, and since both Mok and Evans teach that portability as a feature of laptop computers, it is respectfully submitted that the Examiner's proposed modification of Mok's laptop computer would render it unsatisfactory for its intended purpose. Accordingly, Applicants submit that the Examiner's combination of Mok and Evans is improper under § 103 and, thus, claims 1-3, 7-9, and 15-17 are allowable over Mok and Evans.

Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 4, 6, 18

Claims 4, 6, and 18 stand rejected under 35 USC § 103(a) as being unpatentable over Mok in view of Evans, and further in view of U.S. Patent No. 5,949,643 to Batio (hereinafter Batio). Applicants respectfully submit that Batio fails to remedy the deficiencies of Mok and Evans set forth above in connection with independent claims 1 and 15. Accordingly, Applicants respectfully submit that claims 4 and 18 are allowable at least by virtue of their dependency on claims 1 and 15.

Claim 19

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mok in view of Evans and Batio, and further in view of U.S. Patent No. 4,800,376 to Suga et al. (hereinafter Suga). This rejection is respectfully traversed.

As to claim 19, Applicants respectfully submit that, similar to Batio, Suga fails to remedy the deficiencies of Mok and Evans, which are set forth above in connection with independent claim 15. Thus, it is respectfully submitted that claim 19 is allowable at least by virtue of its dependency on claim 15.

Claims 10-12

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mok in view of Evans, and further in view of U.S. Patent No. 4,787,040 to Ames et al. (hereinafter Ames). Applicants respectfully submit that Ames fails to remedy the deficiencies of Mok and Batio set forth above in connection with independent claim 1. Accordingly, Applicants respectfully submit that claims 10-12 are allowable at least by virtue of their dependency on claim 1.

New Claims

Claims 21-34 are new in the present application. Claims 21-34 recite subject matter similar to claims 1-14, respectively, without using "means" language. As such, it is respectfully submitted that the filing of new claims 21-34 does not add new matter to the present application. Furthermore, it is respectfully submitted that independent claims 21 and 25 recite a combination of elements neither taught nor suggested by the cited patents. Accordingly, Applicants submit that claims 21 and 25 are in condition for allowance, and claims 22-24 and 26-34 are allowable at least by virtue of their dependency on claims 21 and 25.

Conclusion

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the claim rejections and issue a Notice of Allowance in connection with the presently pending claims.


Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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